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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7496 OF 2006

Sonal Rajesh Shetty. Petitioner.

vs.

Rajesh Mohan Shetty

& Anr. Respondents.

Mr. V.G. Parekh with Dinesh S. Shah

for petitioner.

CORAM : A.P. DESHPANDE, J.

DATE : 28th November, 2006.

P.C.

. The parties to this petition are wife and husband. Couple is separated from each other since May, 2003. Thereafter in 2005, the respondent husband instituted a Hindu marriage petition claiming dissolution of the marriage by decree of divorce on the ground of desertion. In the said petition, an application is moved by the present petitioner claiming maintenance for herself and minor daughter aged six years who is in custody of the petitioner. From the material on record the trial court has recorded a finding that the present petitioner/wife is gainfully engaged in the work of

a beautician which she has been performing and thereafter has reached a further finding that she is in a position to maintain herself. The trial court has also accepted the case of the husband that he is earning Rs. 1500/- per month by way of salary and after recording the said finding an order is passed against the respondent herein to pay maintenance to the child which is in the sum of Rs. 1000/- per month. However, the claim made by the wife is rejected. Aggrieved by that part of the order which goes to reject the claim of the present petitioner for maintenance, this petition is filed.

2. The parties to the preset petition appear to be coming from the lower strata where the women folk as well, are working. It is the case of the petitioner that her mother is doing the work of cooking at different places and earns livelihood and maintain the petitioner so also her daughter. Taking an overall view of the matter, the trial court has granted maintenance to the daughter of the petitioner in the sum of Rs. 1000/- No patent illegality is committed by the Court below. Hence, no interference is called for in exercise of 227 jurisdiction.

3. In the result, the writ petition is summarily rejected.

